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9 UNITED STATES DISTRICT COURT  
10 WESTERN DISTRICT OF WASHINGTON  
11 AT SEATTLE

12 KENNETH FLEMING, *et al.*,  
13 Plaintiffs,

CASE NO. C04-2338RSM

14 v.

FEE DECLARATION OF  
LITIGATION GUARDIAN AD  
LITEM

15 THE CORPORATION OF THE PRESIDENT  
16 OF THE CHURCH OF JESUS CHRIST OF  
17 LATTER DAY SAINTS, *et al.*,  
18 Defendants.

19 Andrew L. Benjamin, states as follows:

20 1. Under penalty of perjury under the laws of the State of Washington, I make  
21 this declaration pursuant to RPC 3.7.

22 2. I am the *Litigation Guardian Ad Litem* in this matter, having been appointed  
23 by Order of this court on May 3, 2006. I submit this declaration of my fees for serving as  
24 *Litigation Guardian Ad Litem* from May 23, 2006, after my initial report was filed, through  
25 this date. This declaration covers additional work required to approve the trust, review its  
26 execution and draft the order discharging the undersigned.

3. While my regular hourly rate is \$250 per hour, my regular fee in private-  
paid guardian ad litem matters is limited to \$195.00 per hour.

DECLARATION OF FEES AND COSTS OF  
LITIGATION GUARDIAN AD LITEM - 1 of 2  
(C04-2338RSM)

ANDREW L. BENJAMIN, PLLC  
Law Offices

720 Third Avenue, Suite 1400  
Seattle, Washington 98104-1825  
(206) 622-8953

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ORIGINAL

1 4. Attached to this declaration is my statement for the services rendered in this  
2 matter. As reflected therein, I have or will have worked an additional 25.7 hours on this  
3 case.

4 I certify or declare under penalty of perjury according to the laws of the State of  
Washington that the foregoing statements are true and correct.

5 June 19, 2006  
6 (Date Report Signed)  
7 Signed At Seattle, Washington

  
8 Andrew L. Benjamin WSBA #15223  
720 Third Avenue, #1400  
Seattle, WA 98104  
(206) 622-8953 / 622-1365  
andrewbenjamin@qwest.net

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26 DECLARATION OF FEES AND COSTS OF  
LITIGATION GUARDIAN AD LITEM - 2 of 2  
(C04-2338RSM)

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**ANDREW L. BENJAMIN, PLLC**  
**Law Offices**  
720 Third Avenue, Suite 1400  
Seattle, Washington 98104-1825  
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## STATEMENT

ANDREW L. BENJAMIN, PLLC

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720 Third Avenue, Suite 1400  
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June 19, 2006

c/o United States District Court,  
Western District of Washington at  
Seattle  
700 Stewart Street  
Seattle WA 98101

In Reference To: Kenneth Fleming, et al v. Corp Ofc Pres of Church  
JCLDS  
Case No. C04-2338RSM  
Litigation GAL  
Our File No. 06-1690A

### FINAL BILL

#### Professional Services

		<u>Hours</u>	<u>Amount</u>
5/23/2006	ALB Phone call from, phone call to wife; phone call from, phone call to, draft e-mail letter to brother	0.75	146.25
6/2/2006	ALB Review e-mail letter from, draft e-mail letter to Sharon Allenbach; extended phone call from Dickens	1.00	195.00
6/6/2006	ALB Review e-mail letter from, draft e-mail letter to Sharon; review e-mail letter from Dickens with proposed Trust and Assignment; draft e-mail letter to Dickens (2); review revised Trust; review e-mail correspondence re: bond	2.75	536.25
6/7/2006	ALB Review e-mail letter from Dickens and Sharon Allenbach; make travel plan	1.50	292.50
6/8/2006	ALB Review e-mail letter from Dickens; phone call to, phone call from Kosnoff (2); phone call to, phone call from Stading at prison	1.50	292.50

Re: Litigation GAL (C04-2338RSM)

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		<u>Hours</u>	<u>Amount</u>
6/9/2006	ALB Review e-mail letter from, draft e-mail letter to Sharon; phone call to Kosnoff (VM); phone call to Kosnoff	0.75	146.25
6/12/2006	ALB Review travel schedule	0.20	39.00
6/13/2006	ALB Review e-mail letter from, draft e-mail letter to Pearson	0.25	48.75
6/15/2006	ALB Travel to airport; fly to Spokane; travel to Connell for meeting at prison; extended meeting with Jim Allenbach and Tim Kosnoff; conference with Jim, Tim, Sharon and Brent Allenbach; travel from Connell to Spokane; travel from Spokane to Seattle; travel from airport [no charge for 6.0 hours--see adjustment below]	16.00	3,120.00
6/16/2006	ALB Draft letter to Thomas firm; arrange delivery of Trust and Assignment; finalize bill; draft e-mail letter to, review e-mail letter from Kosnoff	1.00	195.00
	Subtotal of charges		\$5,011.50
	Miscellaneous Adjustments		(\$1,170.00)
	For professional services rendered	25.70	\$3,841.50
	Costs:		
5/31/2006	Photocopies (15¢ ea.)		12.00
6/15/2006	Mileage (44.5 cents per mile)		13.35
	Breakfast		7.00
	Parking		14.61
6/16/2006	Photocopies (15¢ ea.)		2.25
	Total costs		\$49.21
	Previous balance		\$2,844.72
	Balance due		<u>\$6,735.43</u>

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on June 22, 2006, I electronically filed the foregoing **FEE**  
**DECLARATION OF LITIGATION GUARDIAN AD LITEM** with the Clerk of the Court  
using the CM/ECF system which will send notification of such filing to the following:

Thomas D. Frey and  
Marcus Nash  
STAFFORD FREY COOPER  
601 Union Street, Suite 3100  
Seattle, WA 98101-1374

DATED this 22<sup>nd</sup> day of June, 2006.

/s/ Vicki Burrows  
Assistant to Michael T. Pfau,